

***[NO MINUTES WERE GENERATED FOR
FRIDAY, OCTOBER 5, 2012,
AND NO MINUTES WERE GENERATED FOR
MONDAY, OCTOBER 8, 2012,
IN OBSERVANCE OF COLUMBUS DAY HOLIDAY,]***

1739

**SUPREME COURT MINUTES
TUESDAY, OCTOBER 9, 2012
SAN FRANCISCO, CALIFORNIA**

S205849 B235420 Second Appellate District, Div. 3 **PEOPLE v. SARMIENTO
(CARLOS ANTONIO)**

Time for ordering review extended on the court's own motion
The time for granting review on the court's own motion is hereby extended to and including
November 6, 2012. (Cal. Rules of Court, rule 8.512(c).)

S022998 **PEOPLE v. TOWNSEL
(ANTHONY LETRICE)**

Extension of time granted
Good cause appearing, and based upon Senior Deputy State Public Defender C. Delaine Renard's
representation that she anticipates filing the appellant's reply brief by April 28, 2013, counsel's
request for an extension of time in which to file that brief is granted to December 4, 2012. After
that date, only three further extensions totaling about 145 additional days will be granted.

S043520 **PEOPLE v. POWELL (CARL
DEVON)**

Extension of time granted
Good cause appearing, and based upon counsel Neoma Kenwood's representation that she
anticipates filing the appellant's reply brief by May 14, 2013, counsel's request for an extension
of time in which to file that brief is granted to December 3, 2012. After that date, only three
further extensions totaling about 160 additional days are contemplated.

S057156 **PEOPLE v. CASE (CHARLES
EDWARD)**

Extension of time granted
Good cause appearing, and based upon Senior Deputy State Public Defender Robin Kallman's
representation that she anticipates filing the appellant's reply brief by March 2013, counsel's
request for an extension of time in which to file that brief is granted to December 10, 2012. After
that date, only two further extensions totaling about 120 additional days are contemplated.

S082776**PEOPLE v. REED (ENNIS)**

Extension of time granted

Good cause appearing, and based upon counsel Gail Harper's representation that she anticipates filing the appellant's reply brief by February 28, 2013, counsel's request for an extension of time in which to file that brief is granted to November 26, 2012. After that date, only two further extensions totaling about 90 additional days will be granted.

S105876**PEOPLE v. SUAREZ
(ARTURO JUAREZ)**

Extension of time granted

Good cause appearing, and based upon counsel Lisa R. Short's representation that she anticipates filing the appellant's opening brief by June 15, 2013, counsel's request for an extension of time in which to file that brief is granted to December 3, 2012. After that date, only four further extensions totaling about 220 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S105908**PEOPLE v. GHOBRIAL
(JOHN SAMUEL)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by March 2013, counsel's request for an extension of time in which to file that brief is granted to December 4, 2012. After that date, only two further extensions totaling about 120 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S106489**PEOPLE v. WEATHERTON
(FRED LEWIS)**

Extension of time granted

Good cause appearing, and based upon counsel Michael R. Snedeker's representation that he anticipates filing the appellant's reply brief by April 3, 2013, counsel's request for an extension of time in which to file that brief is granted to December 3, 2012. After that date, only two further extensions totaling about 120 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S138474**PEOPLE v. ANDERSON
(ERIC STEVE)**

Extension of time granted

Good cause appearing, and based upon counsel Joanna McKim's representation that she anticipates filing the appellant's opening brief by March 1, 2013, counsel's request for an extension of time in which to file that brief is granted to November 30, 2012. After that date, only two further extensions totaling about 90 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S141519**PEOPLE v. HIN (MAO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 4, 2012.

S163417**PEOPLE v. DIXON (JAMES
WINSLOW)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 30, 2012.

S196910**TURNER (RICHARD DEAN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Robert M. Sanger's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by January 31, 2013, counsel's request for an extension of time in which to file that document is granted to November 30, 2012. After that date, only one further extension totaling about 60 additional days is contemplated.

S203288**AVILA, JR., (JOHNNY) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Louis M. Vasquez's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by March 8, 2013, counsel's request for an extension of time in which to file that document is granted to December 10, 2012. After that date, only two further extensions totaling about 90 additional days are contemplated.

S203852**SEUMANU (ROPATI
AFATIA) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Nanette Winaker's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by April 1, 2013, counsel's request for an extension of time in which to file that document is granted to December 10, 2012. After that date, only two further extensions totaling about 120 additional days are contemplated.

S203124**JERRY BEEMAN &
PHARMACY SERVICES, INC.
v. ANTHEM PRESCRIPTION
MANAGEMENT**

Application to appear as counsel pro hac vice granted

The application of Richard S. Goldstein for admission pro hac vice to appear on behalf of appellants is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S204142**GALAM ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ALI ELIAHO GALAM, State Bar Number 123778, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ALI ELIAHO GALAM must make restitution to Marixa Marple and Chris Marple in the amount of \$32,267 plus 10 percent interest per year from July 21, 2005. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

ALI ELIAHO GALAM must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204146**WEINBERG ON DISCIPLINE**

Recommended discipline imposed

The court orders that SUREKHA MELISSA WEINBERG, State Bar Number 244039, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and she is placed on probation for four years subject to the following conditions:

1. SUREKHA MELISSA WEINBERG is suspended from the practice of law for a minimum of the first three years of probation (with credit given for the period of interim suspension

which commenced on April 25, 2010), and she will remain suspended until the following requirement is satisfied:

- i. She provides proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. SUREKHA MELISSA WEINBERG must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 4, 2012.
3. At the expiration of the period of probation, if SUREKHA MELISSA WEINBERG has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

SUREKHA MELISSA WEINBERG must also take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

SUREKHA MELISSA WEINBERG must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204150**STEBLEY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CHARLES VICTOR STEBLEY, State Bar Number 158219, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

Charles Victor Stebley must make restitution to the following payees:

- (1) Jamie and Antonio Garcia in the amount of \$470 plus 10 percent interest per year from June 26, 2008;
- (2) Andrew Francis in the amount of \$174.01 plus 10 percent interest per year from December 16, 2009;
- (3) Louise Paul and Mike Mullinx in the amount of \$6,000 plus 10 percent interest per year from September 1, 2009;
- (4) Joe Gilman in the amount of \$920 plus 10 percent interest per year from October 21, 2010;
- (5) Dector Baltozar in the amount of \$1,365 plus 10 percent interest per year from April 1, 2010;
- (6) Ana Sandoval in the amount of \$355 plus 10 percent interest per year from May 21, 2010;
- (7) Gianina Flores-Frazee in the amount of \$1,010 plus 10 percent interest per year from August 2, 2010;
- (8) Alfred Aryee in the amount of \$340 plus 10 percent interest per year from August 2, 2010; and

- (9) Luz Valencia and Geronimo Mercado in the amount of \$1,155 plus 10 percent interest per year from September 1, 2010;

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

CHARLES VICTOR STEBLEY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204303**HEDDING ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that NICHOLAS OLIVER HEDDING, State Bar Number 227160, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

NICHOLAS OLIVER HEDDING must make restitution to the following payees (or reimburse the Client Security Fund, to the extent of any payment from the fund to the payee, in accordance with Business and Professions Code section 6140.5):

- (1) AAA Insurance Company in the amount of \$5,995 plus 10 percent interest per year from September 28, 2010;
- (2) Loma Linda University Medical Center in the amount of \$17,000 plus 10 percent interest per year from November 11, 2010;
- (3) Kerry Lawson in the amount of \$2,500 plus 10 percent interest per year from May 27, 2011;
- (4) Terry Stanton in the amount of \$4,485 plus 10 percent interest per year from December 1, 2010;
- (5) Adam Neider and Allison Theony in the amount of \$2,495 plus 10 percent interest per year from January 5, 2010;
- (6) Carlos Godinez in the amount of \$14,075 plus 10 percent interest per year from December 13, 2010;
- (7) Sandra Nunez in the amount of \$49,841.15 plus 10 percent interest per year from December 6, 2010;
- (8) Gabriel V. Rubaneko, M.D., in the amount of \$8,410 plus 10 percent interest per year from December 6, 2010;
- (9) Ivar E. Roth, D.P.M., M.P.H., in the amount of \$13,170 plus 10 percent interest per year from December 6, 2010;
- (10) Dorner Physical Therapy in the amount of \$1,960 plus 10 percent interest per year from December 6, 2010;
- (11) United Medical Imaging Healthcare, Inc. in the amount of \$7,200 plus 10 percent interest per year from December 6, 2010;
- (12) Dr. John J. Caamano in the amount of \$1,888 plus 10 percent interest per year from December 6, 2010;

- (13) Start Physical Therapy in the amount of \$23,491 plus 10 percent interest per year from December 6, 2010;
- (14) Psychological Assessment Services in the amount of \$3,631.60 plus 10 percent interest per year from December 6, 2010;
- (15) Jose and Eva Villalpando in the amount of \$3,000 plus 10 percent interest per year from August 20, 2010;
- (16) Thomas Gust in the amount of \$3,420 plus 10 percent interest per year from January 9, 2010; and
- (17) Katharyn Grill in the amount of \$250 plus 10 percent interest per year from August 23, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

NICHOLAS OLIVER HEDDING must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204421**KEREKES ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHAEL STEPHEN KEREKES, State Bar Number 130267, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

MICHAEL STEPHEN KEREKES must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204424**JONES ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BRUCE GORDON JONES, State Bar Number 43448, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BRUCE GORDON JONES must make restitution to Richard Faith in the amount of \$965 plus 10 percent interest per year from October 31, 2002. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

BRUCE GORDON JONES must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204429**MATTHEWS ON DISCIPLINE**

Recommended discipline imposed

The court orders that LEODIS CLYDE MATTHEWS, State Bar Number 109064, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. LEODIS CLYDE MATTHEWS is suspended from the practice of law for the first 30 days of probation;
2. LEODIS CLYDE MATTHEWS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 12, 2012; and
3. At the expiration of the period of probation, if LEODIS CLYDE MATTHEWS has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

LEODIS CLYDE MATTHEWS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If LEODIS CLYDE MATTHEWS fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S204433**OSBORNE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KERRINGTON FERNARDO OSBORNE, State Bar Number 146539, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

KERRINGTON FERNARDO OSBORNE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S205752**WENTZELL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DANIEL WILLIAM WENTZELL, State Bar Number 54785, as a member of the State Bar of California is accepted.

DANIEL WILLIAM WENTZELL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S205763**NARITA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUSAN LEE NARITA, State Bar Number 100001, as a member of the State Bar of California is accepted.

SUSAN LEE NARITA must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.